

TENORIO\_A.taxgar5

**FILED**  
DISTRICT COURT OF GUAM

MAY 28 2008

**JEANNE G. QUINATA**  
Clerk of Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDREW M.Q. TENORIO,

Defendant,

DEPARTMENT OF REVENUE  
AND TAXATION,  
GOVERNMENT OF GUAM,

Garnishee.

CRIMINAL CASE NO. 96-00082

**ANSWER OF THE GARNISHEE**

ANSWER OF THE GARNISHEE

\_\_\_\_\_, BEING DULY SWORN DEPOSES AND SAYS:  
(Affiant)

IF GARNISHEE IS AN INDIVIDUAL:

That he/she is Garnishee herein doing business in the name of \_\_\_\_\_

\_\_\_\_\_  
(State full name and address of business)

IF GARNISHEE IS A PARTNERSHIP:

That he/she is a member \_\_\_\_\_ of a partnership  
composed of which Garnishee is a partner.

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1 IF GARNISHEE IS A CORPORATION:

2 That he/she is the (State Official Title) \_\_\_\_\_  
3 of Garnishee, \_\_\_\_\_ a corporation, organized under the laws of the  
4 \_\_\_\_\_.

5 IF GARNISHEE IS A GOVERNMENT ENTITY:

6 State name and address of agency, and name and official title of authorized  
7 representative: Department of Revenue and Taxation

8 PO Box 23607 Barrigada Guam 96921

9 Paul J. Terlaje

10 Taxpayer Service Administrator

11 1. On \_\_\_\_\_, 2008, Garnishee was served with the  
12 Writ of Garnishment. For the pay period in effect on the date of service (shown above)

13 Yes No

14      ✓   Defendant was in my/our employ.

15 Pay period is weekly \_\_\_\_\_, bi-weekly \_\_\_\_\_, semi-monthly \_\_\_\_\_, monthly \_\_\_\_\_.

16 The Defendant's present pay period began on \_\_\_\_\_.

17 (Present means the pay period in which this order and notice of  
18 garnishment were served)

19 The Defendant's present pay period ends on \_\_\_\_\_

20 Enter amount of net wages. Calculate below:

21 (a) Gross Pay \$ \_\_\_\_\_

22 (b) Federal income tax \_\_\_\_\_

23 (c) F.I.C.A. income tax \_\_\_\_\_

24 (d) State/Local income tax \_\_\_\_\_

25 Total of tax withholdings \$ \_\_\_\_\_

26 Net Wages \$ \_\_\_\_\_ (a less total of b,c,d)

27 //

28 //

✓

Are you aware of any other garnishments, suggestions or levies currently in effect. If the answers is yes, please attach to this Answer a copy of each garnishment, suggestion or levy.

Do you or will you in the foreseeable future, owe the defendant money? If your answer is yes, please provide the amount of money you will owe, the date or dates on which each payment is due, and the reason why you owe or will owe the money to the Defendant: *Last Filed TX 2000*

Amount

Date of Payment  
is Due

4. If you currently have in your custody, control or possession property (other than cash) in the form of savings accounts, pensions, thrift plans, etc., in which the Defendant has an interest, for each item of property provide the following information:

Approximate Value

### Description of Debtor's Interest

1. \_\_\_\_\_

2. \_\_\_\_\_

4. \_\_\_\_\_

11

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11

1           5.     For each item of property (other than earnings) which you expect to obtain  
2 custody or possession of in the foreseeable future, provide the following information:

3 <u>Description of</u>	<u>Approximate</u>	<u>Description of</u>	<u>Date you will</u>
4 <u>Property</u>	<u>Value</u>	<u>Debtor's Interest</u>	<u>obtain property</u>
5 1. _____	_____	_____	_____
6 2. _____	_____	_____	_____
7 3. _____	_____	_____	_____
8 4. _____	_____	_____	_____

9 Yes    No

10 \_\_\_\_\_ ☒ 6.   Do you make any claim of exemption on the part of  
11 Defendant? If yes, please explain the nature and  
12 basis of your claim:  
13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_

17 Yes    No

18 \_\_\_\_\_ ☒ 7.   Do you have any objections to the garnishment of  
19 the Defendant? If yes, please explain the nature and  
20 basis of your objection:  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_

26 //

27 //

28 //

1 8. Check the line below if you deny that you hold property subject to this order of  
2 garnishment:

3 ☒ [The Garnishee was then in no manner and upon no account indebted or  
4 under liability to the Defendant, ANDREW M.Q. TENORIO, and that the  
5 Garnishee did not have in his/her possession or control any property  
6 belonging to the Defendant, or in which the Garnishee has an interest; and  
7 is in no manner liable as Garnishee in this action.]

8 9. The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor,  
9 ANDREW M.Q. TENORIO at P.O. Box XXXXX, GMF, Guam 96921 and (2) the attorneys for  
10 the United States, Jessica F. Cruz, Assistant United States Attorney, and Mikel W. Schwab,  
11 Assistant U.S. Attorney, U.S. Attorney's Office, Sirena Plaza, Suite 500, 108 Hernan Cortez  
12 Avenue, Hagåtña, Guam 96910.

13  
14 DEPARTMENT OF REVENUE AND TAXATION,  
15 GOVERNMENT OF GUAM  
Garnishee

16 By:

Paul J. Terlaje

17 CP

Paul J. Terlaje

18 CP

PO Box 23607, Barrigada, Guam 96921

19 CP

635-1821

20 CP

Name/address/Phone Number of person

Preparing Answer

21  
22  
23 The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
24 2008.

25 [Signature]

26 \_\_\_\_\_  
27 Notary Public  
28